

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ELIZABETH PARRINO,

Plaintiff,

-against-

THE DEPARTMENT OF EDUCATION OF THE
CITY OF NEW YORK, MELISSA AVILES-
RAMOS, Chancellor and KATHERINE RODI,
Director of Employee Relations,

Defendants.

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**DECLARATION OF
ASSISTANT CORPORATION
COUNSEL SHIVANI R.
DAMERA IN SUPPORT OF
DEFENDANTS' MOTION TO
DISMISS THE COMPLAINT**

No. 24-cv-08892 (AMD) (JRC)

Shivani R. Damera declares, pursuant to 28 U.S.C. § 1746 and under the penalty of perjury, that the following is true and correct:

1. I am an Assistant Corporation Counsel in the office of Muriel Goode-Trufant, Corporation Counsel of the City of New York, attorney for Defendants in the above-captioned action.

2. I respectfully submit this declaration in support of Defendants' Motion to Dismiss the Complaint, pursuant to 12(b)(6) of the Federal Rules of Civil Procedure.

3. Annexed hereto are true and correct copies of the following documents submitted in support of Defendant's motion:

4. Exhibit A is the Martin F. Scheinman Arbitration Agreement, dated September 10, 2021.

5. Exhibit B is Plaintiff's Waiver and Release, dated February 20, 2022.

6. Exhibit C is the Notice of Claim filed by Plaintiff, dated March 27, 2023.

7. These documents may be considered by the Court because they are integral to and upon which the Complaint relies. See Holowecki v. Fed. Express Corp., 440 F.3d 558, 565-66 (2d Cir. 2006).

WHEREFORE, Defendants respectfully request that their Motion to Dismiss the Complaint be granted, the Complaint be dismissed in its entirety and judgment be entered in favor of Defendants, and that Defendants be granted any such other and further relief as the Court may deem just and proper.

Dated: New York, New York
May 16, 2025

/s/ Shivani R. Damera
Shivani R. Damera
Assistant Corporation Counsel